

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark W. Miles, et al.

Serial No.: 10/076,224

Filed: February 13, 2002

For: CONTROLLING MICRO-ELECTRO-MECHANICAL
CAVITIES

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Examiner: Unassigned

Art Unit: 2873

**COPY OF PAPERS
ORIGINALLY FILED**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)**

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed April 5, 2002, please find enclosed:

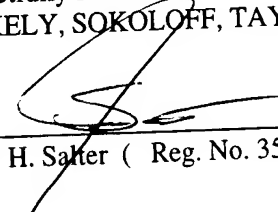
- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);
- (3) the statutory basic filing fee of \$370.00;
- (4) the additional claims fee of \$108.00;
- (5) a written assertion of entitlement to small entity; and
- (6) a copy of the Notice to File Missing Parts of Application;

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this

Response is enclosed for deposit account charging purposes.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 6/5/, 2002


James H. Salter (Reg. No. 35,668)

Customer No. 008791
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on June 5, 2002.

Barbara Skliba

Name of Person Mailing Correspondence

Signature

Date

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid 65.00
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,280	241	640	Petition to revive unintentionally abandoned application	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection	
149	740	249	370	For each additional invention to be examined	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	

Other: _____

SUBTOTAL (3) \$ 65.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: James H. Salter

Signature

Date

Reg. Number

35,668

Customer No.

008791

(complete if applicable)

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Barbara Skliba

Name of Person Mailing Correspondence

Signature

Date



COPY OF PAPERS
ORIGINALLY FILED

PTO/SB/17(11/00)

Approved for use through 10/31/02. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 543.00

Complete if Known:

Application No. 10/076,224
Filing Date February 13, 2002
First Named Inventor Mark W. Miles
Group Art Unit 2873
Examiner Name Unassigned
Attorney Docket No. 5652P017X

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number _____
Deposit Account Name _____
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, and charge any deficiencies to Deposit Account Number 02-2666, and credit any over payments to Deposit Account Number 02-2666
- ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.131(b)
2. ☒ Payment Enclosed
☒ Checks (3)

Other _____
3. ☒ Applicant claims small entity.
See CFR 1.27

FEE CALCULATION (fees effective 11/29/00)

1. FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	740	201	370	Utility application filing fee	370.00
106	330	206	165	Design application filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional application filing fee	
SUBTOTAL (1)					\$ 370.00

2. CLAIMS

		Extra		Fee from below		Fee Paid
Total Claims	<u>32</u>	- 20 =	<u>12</u>	X	<u>9</u>	= <u>108</u>
Independent Claims	<u>3</u>	- 3 =	<u>0</u>	X	<u>0</u>	= <u>0</u>
Multiple Dependent Claims			<u>0</u>	X	<u>0</u>	= <u>0</u>

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
103	18	203	9	Claims in excess of twenty	108.00
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim	
109	84	209	42	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					\$ 108.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark W. Miles, et al.

Serial No.: 10/076,224

Filed: February 13, 2002

For: Controlling Micro-Electro-Mechanical Cavities

Examiner: Unassigned

Art Unit: 2873

BOX MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

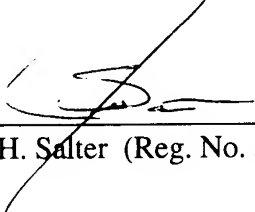
Written Assertion of Entitlement to Small Entity Status Under 37 C.F.R. 1.27

Dear Sir:

Applicants hereby notify the Patent and Trademark Office that the above-referenced patent application is entitled to small entity status.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 6/5/, 2002
James H. Salter (Reg. No. 35,668)

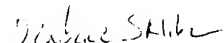
Customer No. 008791
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

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Barbara Skliba

Name of Person Mailing Correspondence



Signature

6/5/02

Date



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ORIGINALLY FILED

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D. C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/076,224	02/13/2002	Mark W. Miles	01568-013001

CONFIRMATION NO. 9901

FORMALITIES LETTER



OC000000007802661

DAVID L. FEIGENBAUM
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

Date Mailed: 04/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$216.
 - \$216 for 12 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1086.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE